

DEC 11 9 2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Faull et al.

Serial No: 09/889,515

Filed: October 10, 2001

For: Anti-Inflammatory Indole Derivatives

Attorney Docket No. ASZD-P01-

Art Unit: 1626

Examiner: S. Wright

TECH CENTER 1600/2900  
DEC 12 2002

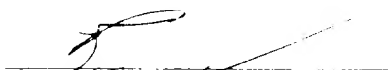
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents Washington, D.C. 20231 on the date indicated below:

December 2, 2002

Date of Signature  
and of Mail Deposit

  
Brent LaBarge

Commissioner for Patents  
Washington, D.C. 20231

**REPLY TO RESTRICTION REQUIREMENT**

Sir:

In reply to the outstanding Restriction Requirement, mailed October 1, 2002, in connection with the above application, Applicants hereby elect Group I, with traverse. Applicants elect this invention with traverse with respect to compounds where  $R^4$  includes a heterocyclic group. The Examiner has stated that  $R^4$  itself may be a heteroaryl group and so cannot be included within the scope of Group I. However,  $R^4$  is defined as an amido, a sulphonamido, or a carbamate group, and it is these groups that may carry heterocyclic substituents ( $R^{15}$ ,  $R^{16}$ , or  $R^{17}$ ). Any heteroaryl groups that may be present thus would be remote from the "core" indole structure of the molecule of the invention. Therefore it would not constitute a significant additional burden to include within the scope of Group I compounds where  $R^4$ , as defined in claim 1, contains a substituent heterocyclic group.

The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945**.

Respectfully Submitted,

Date: December 2, 2002

**Customer No: 28120**  
Docketing Specialist  
Ropes & Gray  
One International Place  
Boston, MA 02110  
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David P. Halstead  
Reg. No. 44,735

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PTO/SB/17 10-02  
Approved for use through 10/31/2002 OMB 0651-0032

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# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00

## Complete if Known

Application Number 09/889515  
Filing Date October 10, 2001  
First Named Inventor Alan Wellington Fauli  
Examiner Name Not Yet Assigned  
Group Art Unit 1626  
Attorney Docket No. ASZD-P01-471

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account  
Deposit Account Number 18-1945  
Deposit Account Name Ropes & Gray

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	740	Utility filing fee	
		1002	330	Design filing fee	
		1003	510	Plant filing fee	
		1004	740	Reissue filing fee	
		1005	160	Provisional filing fee	
SUBTOTAL (1)					\$ 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  \*\* =  Extra Claims  Fee from below  Fee Paid   
Independent Claims  \*\* =   
Multiple Dependent

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	Claims in excess of 20	
		1201	94	Independent claims in excess of 1	
		1203	180	Multiple dependent claim, if not paid	
		1204	94	** Reissue independent claims over original patent	
		1205	18	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$ 0.00

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	Surcharge - late filing fee or oath	
		1052	50	Surcharge - late provisional filing fee or cover sheet	
		1053	130	Non-English specification	
		1812	2 520	For filing a request for ex parte reexamination	
		1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1 840*	Requesting publication of SIR after Examiner action	
		1251	110	Extension for reply within first month	110.00
		1252	400	Extension for reply within second month	
		1253	920	Extension for reply within third month	
		1254	1 440	Extension for reply within fourth month	
		1255	1 960	Extension for reply within fifth month	
		1401	320	Notice of Appeal	
		1402	320	Filing a brief in support of an appeal	
		1403	280	Request for oral hearing	
		1451	1 510	Petition to institute a public use proceeding	
		1452	110	Petition to revive - unavoidable	
		1453	1 180	Petition to revive - unintentional	
		1501	1 280	Utility issue fee (or reissue)	
		1502	460	Design issue fee	
		1503	620	Plant issue fee	
		1460	130	Petitions to the Commissioner	
		1807	50	Processing fee under 37 CFR 1.117(q)	
		1806	180	Submission of Information Disclosure Stmt	
		1802	40	Recording each patent assignment per property times number of properties	
		1809	370	Filing a submission after final rejection (37 CFR 1.129 a)	
		1804	11	For each additional inventor not examined (37 CFR 1.129 d)	
		1805	280	Request for Continued Examination (RCE)	
		1801	930	Request for expedited examination of a design application	

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110.00

## SUBMITTED BY

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Patent Application No. 09/889515  
Inventor(s) Alan Wellington Fauli  
Attorney David P. Halstead, Ph D  
Filing Date October 10, 2001  
Class B01D 21/02

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